

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AKIL ROBBINS,)	CASE NO. CV 13-7126-DMG (PJW)
)	
Petitioner,)	ORDER TO SHOW CAUSE WHY PETITION
)	SHOULD NOT BE DISMISSED
v.)	
)	
G.W. LEWIS,)	
)	
Respondent.)	

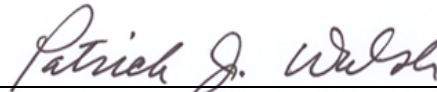
On September 15, 2013, Petitioner filed a Petition for Writ of Habeas Corpus, seeking to challenge his May 2008 conviction and sentence for murder with gang and gun allegations. (Petition at 2.) In the Petition, he claims that his right to confrontation was denied, there was insufficient evidence to support his conviction, the trial court erred in admitting prejudicial gang testimony, and defense counsel provided ineffective assistance. (Petition at 5-6 and Exhs. A-D.) For the following reasons, Petitioner is ordered to show cause why his Petition should not be dismissed because it is time-barred.

State prisoners seeking to challenge their state convictions in federal habeas corpus proceedings are subject to a one-year statute of limitations. 28 U.S.C. § 2244(d). Here, Petitioner's conviction became final on May 31, 2011--90 days after the state supreme court

1 denied his petition for review and the time expired for him to file a
2 petition for writ of certiorari with the United States Supreme Court.
3 *See, e.g., Brambles v. Duncan*, 412 F.3d 1066, 1069 (9th Cir.
4 2005). Therefore, the statute of limitations expired one year later,
5 on May 31, 2012. *See Patterson v. Stewart*, 251 F.3d 1243, 1246 (9th
6 Cir. 2001). Petitioner, however, did not file this Petition until
7 September 15, 2013, more than 15 months after the deadline.

8 IT IS THEREFORE ORDERED that, no later than **October 30, 2013**,
9 Petitioner shall inform the Court in writing why this case should not
10 be dismissed with prejudice because it is barred by the statute of
11 limitations. Failure to timely file a response will result in a
12 recommendation that this case be dismissed.

13 DATED: September 30, 2013

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16 PATRICK J. WALSH
17 UNITED STATES MAGISTRATE JUDGE
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